

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990 (as amended) Discharge of Conditions

DoC Decision Notice Split Decision – Discharge of Conditions

Cooper Residential Homes Ltd
Bethel and Bethesda Residential Home
Equity Road East
Earl Shilton
Leicestershire
LE9 7FY

Details of Application:

Application Ref: 25/00669/DISCON
Proposal: Application to discharge conditions 7 (drainage), 8 (electric vehicle charging), 9 (land contamination), 12 (waste and recycling) and 15 (boundary treatment) attached to planning permission 22/00370/FUL
Location: Bethel and Bethesda Residential Home, Equity Road East, Earl Shilton

The conditions and supporting details submitted to apply for the discharge of conditions:

Condition 7

Development shall not begin until surface water drainage details, incorporating sustainable drainage principles (SuDS) have been submitted to and approved by the Local Planning Authority (LPA), and the scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Reason: To reduce the risk of surface water runoff and flooding from the development in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD 2016 and the National Planning Policy Framework (2021).

Condition 8

Prior to the commencement of development a scheme for the installation of electric vehicle charging points will be submitted to and approved in writing by the local planning authority. The scheme shall identify the detail of the location and fitting of the units. The approved details shall be implemented on site prior to first occupation of the dwellings.

Reason: To ensure that the proposals meet the requirements of Policy DM10 (g) of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 112 (e) of the National Planning Policy Framework.

Condition 9

No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt

with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 12

No development shall take place until a scheme makes adequate provision for waste and recycling storage of containers and collection across the site which has been submitted to and approved in writing to the Local Planning authority. The details should address accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers.

Reason: To ensure bin storage on site is not detrimental to the street scene and the overall design of the scheme in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD 2016.

Condition 15

No development above foundation level shall take place until a detailed plan (or plans) indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed in full accordance with the approved details prior to the first occupation of the dwelling to which it relates.

Reason: To ensure that an adequate boundary treatment is provided to safeguard the visual amenities of the area, the amenities of the future occupiers of the dwelling and the occupiers of adjoining properties and in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

C7, 3975D SuDS FRA Cooper Residential – Earl Shilton
C8, C12 & C15 – Care Home Site Layout Dwg No. 1546 Sheet 2
C8, EV Charging Unit Specifications
C9, Phase 1 Land Contamination Risk Assessment
C9, Appendix A Report
C9, Appendix B No. 3975D Maps
C9, Appendix B No. 3975D(a) Maps
C9, Phase 3 Remediation Strategy and Verification Plan

Consultees:

LCC Ecology: No comment as none of the conditions relate to ecological concerns.

LCC Highways: No objection to the discharge of condition 7. No comment on other conditions as they were not requested by the Local Highway Authority (LHA).

HBBC Environmental Services Pollution: The remediation proposal is satisfactory and should be carried out. Verification as per the report should be provided on completion of all works for full discharge.

HBBC Drainage: No objection to the discharge of condition 7.

HBBC Waste: The bin collection point is of suitable location and size. Condition 12 can be discharged.

Summary:

Condition 7

A Surface Water Drainage Strategy and Flood Risk Assessment for the site has been provided. HBBC Drainage have stated that the details are satisfactory and recommend discharging the condition. The submitted strategy therefore demonstrates that the proposal will adequately manage surface water run-off and flooding risk from the development in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 8

The submitted plans demonstrate that each of the five dwellings will be provided with a wall-mounted EV charging point at the front of the dwelling. The charging points are located to the west of the parking space for each dwelling and are accessible from areas of hardstanding. The specifications for the wall-mounted EV charging units have been provided. It has therefore been demonstrated that the proposal provides electric vehicle charging points to each dwelling and meets the requirements of Policy DM10(g) of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 112(e) of the National Planning Policy Framework.

Condition 9

The Applicant has submitted a Phase I investigation which recommended further investigation of the site by way of Phase II and Phase II studies as the site presents a moderate contamination risk. A Phase III remediation strategy and verification plan has summarily been provided. HBBC Pollution have advised that the remediation proposal is satisfactory and should be carried out, with verification provided on completion of all works for full discharge. The remediation strategy therefore demonstrates that risks from land contamination to future users of the land and neighbouring land will be minimised, in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 12

The submitted information demonstrates that bin storage and collection will occur adjacent to the internal access driveway, beside the existing brick wall at the site entrance. The storage and collection location is directly adjacent the highway boundary. HBBC Waste have confirmed that the dimensions of the storage area are sufficient to handle up to three wheeled bins per dwelling. The plans therefore demonstrate that bin storage can be accommodated on site without being detrimental to the street scene in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 15

The submitted information demonstrates that existing 1.8 metre high close-boarded timber fencing on the northern, eastern and western boundaries of the site will be retained. To match the existing, new close-boarded timber fencing at 1.8 metres high is proposed around the private gardens of each proposed dwelling, and to the rear of the existing residential home building, south of dwellings 1 and 2. Between the front gardens of dwellings 1 and 2, and dwellings 3 and 4 the proposal involves erection of 0.9 metres high close-boarded timber fencing to provide a measure of privacy and delineation between front garden areas at a lower height to other surrounding fencing. The use of timber fencing is considered acceptable given the surrounding fencing is the same. The retention of existing fencing around the wider site means views from neighbouring properties will remain unaffected with regard to boundary treatments. The proposal therefore demonstrates adequate boundary treatments provided to safeguard the visual amenities of the area, the amenities of future occupiers of the dwelling and occupiers of adjoining properties, in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Outcome:

Condition 7 – Fully Discharged

Condition 8 – Fully Discharged

Condition 9 – Partially Discharged

Condition 12 – Fully Discharged

Condition 15 – Fully Discharged

Where conditions have been PARTIALLY DISCHARGED for commencement purposes, verification/validation/final details should be submitted to the Local Planning Authority and apply to be FULLY DISCHARGED. A new application and fee will be required.

Where conditions have been FULLY DISCHARGED, they are subject to all works being carried out strictly in accordance with the full terms of the condition.

Date: 3 October 2025

A handwritten signature in black ink that reads "C. Brown." with a period at the end.

Christopher Brown MRTPI
Head of Planning